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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,580	10/06/2003	Glenn H. MacKal	380804.00116	6851
7590	03/24/2006		EXAMINER	
Stefan V. Stein Holland & Knight LLP Suite 4100 100 N. Tampa Street Tampa, FL 33602-3644			KEASEL, ERIC S	
			ART UNIT	PAPER NUMBER
			3754	
			DATE MAILED: 03/24/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action <i>After the Filing of an Appeal Brief</i>	Application No.	Applicant(s)
	10/681,580	MACKAL ET AL.
	Examiner Eric Keasel	Art Unit 3754

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 13 March 2006 is acknowledged.

1. The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

- a. The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
- b. The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).

2. The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. Other: the cancellation of claims 4, 7, 8, and 10-17 is acknowledged and entered. Claims 1-3, 5, 6, and 9 are pending and stand rejected under 35 USC 102 as being anticipated by Hooberman



Eric Keasel
Primary Examiner
Art Unit 3754